

## FREQUENTLY ASKED QUESTIONS (FAQS)

# ABOUT THE FRONTX OPERATION IN NORTH MACEDONIA

### 1. WHAT IS THE MAIN AIM OF THE OPERATION?

The aim of the operation is to control migratory flows, to tackle cross-border crime, including migrant smuggling, trafficking in human beings and terrorism, and to enhance European cooperation at the country's borders with Greece, Serbia and Albania on the territory of North Macedonia.

Frontex standing corps officers will also support document checks and assist the local authorities in establishing the nationality of migrants. This will be complemented by training activities to develop regional border control capacities and by the exchange of operational information, professional experiences, and best practices.

The operation is foreseen to last until 24 January 2024. All Frontex operations are planned on an annual basis with the possibility of extension.

### 2. HOW MANY OFFICERS WILL BE DEPLOYED?

In 2023 Frontex will deploy more than 100 standing corps officers at the Greek border each month as part of the operation in North Macedonia.

### 3. WHERE IS THE COORDINATION CENTER OF THIS OPERATION?

The coordination of the operation is based in Warsaw, Poland, in the headquarters of Frontex. Frontex coordinating officers will work there alongside with coordinators from North Macedonia.

### 4. WHAT KIND OF EQUIPMENT WILL BE USED?

The officers working in North Macedonia under the Frontex-coordinated operation will use equipment provided either by the Member State that deploys them, the agency or by the North Macedonian authorities, including patrol cars, border surveillance equipment and equipment needed for document checks.

### 5. WILL THE NORTH MACEDONIA OFFICERS BE TRAINED BY FRONTX?

Yes. All officers participating in the operation, including officers from non-EU countries, will undergo training in relevant EU and international law, including fundamental rights and access to international protection.

They will also be briefed on the role of the Fundamental Rights Office in the implementation of fundamental rights obligations and all relevant fundamental rights aspects while performing operational activities (Serious Incident Report, Code of Conduct, Complaint Mechanism, etc.).

## **6. WHEN CAN FRONTEX LAUNCH AN OPERATION OUTSIDE EU'S BORDERS?**

In situations requiring increased operational assistance, Frontex, the European Border and Coast Guard Agency, is able to launch operations in countries neighboring the European Union. This is however only possible once a Status Agreement has been concluded between the European Union and the respective non-EU country.

A corresponding agreement (Border management: EU concludes agreement with North Macedonia on Frontex cooperation – Consilium, europa.eu) was signed on 22 October 2022 and entered into force on 1 April 2023

## **7. WHAT IS REQUIRED FOR FRONTEX TO BE ABLE TO LAUNCH AN OPERATION OUTSIDE THE EU?**

For joint operations to take place outside the EU, the following is required: an agreement with the host country, an operational plan to be in place, as well as a Status Agreement to be concluded between the European Union and the host country, regulating the status of deployed officers. Operations are carried out on the basis of an operational plan agreed with non-EU country and the Member State(s) bordering the operational area.

The negotiations of any Status Agreement are based on the European Council's decision, authorising the European Commission to negotiate on behalf of the Union an international agreement on actions carried out by Frontex in the territory of a non-EU country.

## **8. WHO ARE FRONTEX OFFICERS ACCOUNTABLE TO IN NORTH MACEDONIA?**

Like in every Frontex operation, the agency provides additional support to the host country in need of assistance with border control and it works under the local authorities. Members of the teams deployed by Frontex carry out their tasks in full compliance with North Macedonian, as well as with the international and EU law.

## **9. DOES THE CODE OF CONDUCT OF FRONTEX OPERATIONS ALSO APPLY OUTSIDE OF THE EU?**

Yes. The Code of Conduct is applicable to all persons participating in Frontex operational activities regardless of whether they are conducted on the territory of the EU or outside of it. It lays down procedures intended to guarantee the principle of rule of law and the respect for fundamental rights with particular focus on vulnerable persons, including children as well as persons seeking international protection.

## **10. WILL FRONTEX OFFICERS WORK UNDER THE COMMAND OF NORTH MACEDONIA AUTHORITIES?**

Frontex officers deployed to any operation coordinated by the agency always work with and under the instructions of the authorities of that country and respecting national law and regulations. As a general rule, all activities, including border surveillance and document checks, are performed by Frontex officers in the presence of a North Macedonian officer. An officer from North Macedonia is also present on board of the patrol cars driven by Frontex-deployed officers.

## **11. WHAT ARE THE RULES REGARDING THE USE OF FORCE IN NORTH MACEDONIA?**

While performing their tasks and exercising their powers, members of the teams comply with EU and international law and observe fundamental rights and the national law of North Macedonia. More specifically, these rules are stated in the operational plan. In case of use of force or weapons, members of the teams shall follow the national law of North Macedonia and the standard operating procedures of the relevant authorities.

## **12. WHAT POWERS DO FRONTEX OFFICERS HAVE IN NORTH MACEDONIA?**

Frontex deploys border guards and patrol cars to North Macedonia to support local authorities with border surveillance and border checks, including checking documents as well as assisting in screening of migrants and gathering information on cross-border crime.

## **13. CAN FRONTEX OFFICERS IN NORTH MACEDONIA ARREST PEOPLE SUSPECTED OF CRIME?**

Frontex-deployed team members in this operation have executive powers required for border control. This means that team members can detect and prevent unauthorized border crossings and cross-border crime as stated in the operational plan, under the instructions of North Macedonian officers. This also includes apprehending and taking measures against suspects.

## **14. HOW WILL THE RESPECT FOR FUNDAMENTAL RIGHTS BE ENSURED DURING THE OPERATION?**

Frontex guarantees the protection of fundamental rights in the performance of its tasks in accordance with the relevant EU and international law, including the access to international protection and the compliance with the principle of non-refoulement. Fundamental Rights Monitors (FROMs), who are independent experts within Frontex, ensure that all Frontex activities are in line with fundamental rights, support the agency in upholding its fundamental rights obligations and observe compliance with fundamental rights standards of all activities carried out and implemented as part of European integrated border management.

The FROMs report their findings and actions directly to the independent Frontex Fundamental Rights Officer who analyses the reports and evaluates operational activities in order to take necessary actions or bring forward any recommendations.

## **15. DOES THE COMPLAINTS MECHANISM FORESEEN BY THE FRONTEX REGULATION APPLY?**

Yes, the complaints mechanism applies to all Frontex activities, including in operations conducted in non-EU countries. Any person who is directly affected by the actions or failure to act on the part of staff involved in a Frontex activity and who considers him or herself to have been the subject of a breach of his or her fundamental rights due to those actions or that failure to act, or any party representing such a person, may submit a complaint in writing to Frontex.

North Macedonia has also established its own complaints mechanism to deal with allegations of fundamental rights violations committed by its staff in the course of this joint operation.

